

**RETURNED SOLDIERS SETTLEMENT
(AMENDMENT) ACT, 1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 85, 1977.

An Act to amend section 10 of the Returned Soldiers Settlement Act, 1916, in relation to the lifting of restrictions on the transfer of land. [Assented to, 20th October, 1977.]

BE

Returned Soldiers Settlement (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Returned Soldiers Settlement (Amendment) Act, 1977".

**Commence-
ment.** **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment
of Act No.
21, 1916.
Sec. 10.
(Restriction
on right of
transfer.)** **3.** The Returned Soldiers Settlement Act, 1916, is amended by inserting after section 10 (5) the following subsections :—

(6) Except where the land is within an irrigation area, the provisions of this section shall not apply to the transfer of land—

- (a) within a holding being purchased under section 4A, in respect of which the local land board has certified that all conditions have been complied with; or
- (b) within a group purchase under section 4B, in respect of which the Minister is satisfied that all conditions have been fulfilled,

where—

- (c) the grant in respect of that holding or group purchase has not issued;

(d)

Returned Soldiers Settlement (Amendment).

- (d) the money referred to in section 4A (1) (i) or 4B (7), as the case may be, in respect of that holding or group purchase has been paid; and
- (e) the Minister, upon application being made as prescribed and payment of an amount equivalent to 5 per centum or, where some other percentage is prescribed, that other percentage of the unimproved value of the land purchased, certifies in the prescribed form that the provisions of this section shall not apply to the transfer of that land.

(7) Where the amount payable under subsection (6) (e) is less than \$10, the amount so payable shall be increased to \$10.

(8) For the purposes of subsection (6) (e), the expression "unimproved value of the land" means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

(9) Upon the issue of a certificate under subsection (6) (e) the land to which that certificate relates may be transferred or otherwise dealt with without recourse to this section.

(10) Where a certificate is issued under subsection (6) (e) in respect of a holding or group purchase, the Minister shall—

- (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that holding or group purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and

(b)

Returned Soldiers Settlement (Amendment).

- (b) before issue of the Crown grant in respect of that holding or group purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).
